

Citizen Participation and Public Petitions Committee

1st Meeting, 2023 (Session 6), Wednesday 18
January 2023

PE1864: Increase the ability of communities to influence planning decisions for onshore windfarms

Lodged on 24 March 2021

Petitioner Aileen Jackson on behalf of Scotland Against Spin

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to
increase the ability of communities to influence planning decisions for
onshore windfarms by—

- adopting English planning legislation for the determination of onshore wind farm developments;
- empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process; and
- appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

Webpage <https://petitions.parliament.scot/petitions/PE1864>

Introduction

1. The Committee last considered this petition at its meeting on [29 June 2022](#). At that meeting, the Committee agreed to write to the Minister for Public Finance, Planning and Community Wealth, Planning Aid Scotland (PAS), the Scottish Government's Planning and Environmental Appeals Division (DPEA), and UK Government Ministers.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.

3. The Committee has received new responses from the Minister for Public Finance, Planning and Community Wealth, the UK Minister of State for Energy, Clean Growth and Climate Change, the Secretary of State for Scotland, DPEA, Planning Aid Scotland, and the Petitioner, which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1864: Increase the ability of communities to influence planning decisions for onshore windfarms

Petitioner

Aileen Jackson on behalf of Scotland Against Spin

Date lodged

24 March 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore windfarms by—

- adopting English planning legislation for the determination of onshore wind farm developments;
- empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process; and
- appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

Previous action

We have written to Jamie Greene MSP, Brian Whittle MSP and Willie Rennie MSP. We have also written to Kevin Stewart MSP in his role as Minister for Local Government, Housing and Planning.

Scotland Against Spin has been a member of the Directorate for Planning and Environmental Appeals (DPEA) Stakeholders' Forum since 2013. It has been raising issues to which this Petition relates since 2019.

Background information

In 2020 the UK Government announced its intention to allow onshore wind farms to compete for subsidies in the next round of Contract for Difference (CfD) auctions which would allocate market support for projects coming forward towards the middle of the decade. This news was followed by a rapid rise in the submission of onshore wind farm planning applications, particularly in Scotland where National Planning Policy is very supportive of development compared to the rest of the UK.

Onshore wind development is considered, by some, to be particularly lucrative for developers, owing to lower development costs. Some areas of rural Scotland are, we believe, at saturation point with large scale industrial wind power station proposals and developments which have been built or are currently going through the planning process.

In Scotland, wind energy schemes with generating capacity of 50MW or less are determined by Local Planning Authorities (LPA). Local Community Councils are statutory consultees for such planning applications. A refusal of planning permission regularly leads to an appeal by the developer. That appeal, delegated to the Directorate for Planning and Environmental Appeals (DPEA) by Scottish Ministers is often very costly to the LPA, particularly if a Reporter decides that an appeal should be determined by means of a Hearing or Public Inquiry.

Larger wind farms exceeding 50MW are determined at the outset by Scottish Ministers under the Electricity Act 1989, section 36 (s.36) rather than by the LPA. However, the LPA remains a statutory consultee for each s.36 planning application submitted to the Scottish Government's Energy Consents & Deployment Unit. Should an LPA formally object to a s.36 application, a Public Inquiry is automatically triggered. This results in significant expense to the LPA, in order for them to defend their objections. In the majority of cases, the objections of these LPAs and the Community Councils are overruled by the Scottish Ministers, acting on Reporters' recommendations.

In contrast, wind energy schemes in England are determined by the LPA, irrespective of size. LPAs are directed to only grant planning permission if:

the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and

following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been satisfactorily addressed and therefore the proposal has community backing.

Whether a proposal has the backing of the affected local community is “a planning judgement for the local planning authority.”

If an LPA rejects a planning application, then a developer has a right to appeal to the Secretary of State via the Planning Inspectorate.

This difference in legislation makes it significantly more difficult to obtain planning permission in England, and has led to an influx of developers seeking sites in Scotland, because they believe that the Scottish Government will overrule local decision making and grant consent for planning applications for onshore windfarms.

This has resulted in Scottish rural communities facing multiple applications simultaneously or consecutively. They are left simply overwhelmed and unable to manage, either in terms of the manpower required to scrutinise large technical documents and/or to fundraise in order to employ professional help. In turn, this leaves them particularly disadvantaged in a Public Inquiry situation where they face teams of professionals and the applicant’s consultants, who are well able to present windfarm applications in their most favourable light, and at the same time seek to marginalise the evidence from public witnesses.

Live streaming and archived video footage of Inquiries visible on the DPEA website, has resulted in prospective public and lay participants witnessing what they perceive to be personal and vicious attacks on local objectors by experienced lawyers employing aggressive cross examination techniques. Whilst such techniques might be suitable in a criminal court setting, in those circumstances, the witness would have the protection of counsel or intervention by a judge if there was irrelevant and intimidating questioning. No such protection is provided for a public witness at a planning Public Inquiry; it is seen as a ‘no holds barred’ arena for the appellant’s legal team. Many bona-fide people, giving of their best in the local interest feel they cannot cope with the psychological or financial strain of becoming involved in such a combative and unequal process. It seems to us that the appellant’s legal team frequently seeks to discredit a public witness on a personal basis and, as a consequence, their opinions and evidence before the Inquiry are diminished and ignored. Some Community Councils and members of the public will simply withdraw their representation.

We believe that this is a one-sided process which acts as a barrier to effective public engagement in the planning process; the opposite result to that which the Scottish Government is seeking to achieve.

We believe that the adoption of planning legislation such as that in England where there is strict adherence to local development plans which have previously been the subject of public consultation, would direct developers to suitable sites where there is less likelihood of objection from local planning authorities and communities. Any community which had not had its concerns fully addressed could be confident that proposals would be justifiably refused and an appeal would be unlikely. This would encourage developers to have longer, more meaningful consultation with local communities before finalised plans are submitted. At present, the required community engagement exercise in Scotland seems to be largely a one-way consultation which we believe is regarded by many developers as simply a 'tick box' exercise. All parties would benefit as only plans likely to succeed and gain consent would progress to being formally submitted to LPAs.

We call on the Scottish Government to bring planning legislation for the determination of wind farm developments in line with that of England. We also call on the Scottish Government to find a way to restore "equality of arms" in the planning process by equipping LPA's to give positive assistance in the form of professional help to local communities, and to appoint someone to act as an independent advocate or adviser in public inquiries to ensure that local participants are not bullied and intimidated, and that their voices are heard.

Annexe B

Extract from Official Report of last consideration of PE1864 on 29 June 2022

The Convener: Colleagues, we will now consider a number of continuing petitions that arise out of the evidence session that we held at our previous meeting. The first of those is PE1864, to increase the ability of communities to influence planning decisions for onshore wind farms. The petition was lodged by Aileen Jackson on behalf of Scotland Against Spin. It calls on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore wind farms by adopting English planning legislation for the determination of onshore wind farm developments, by empowering local authorities to ensure that local communities are given sufficient professional help to engage in the planning process and by appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries.

As I said a moment ago, we last considered this on 15 June, when we also heard from the Minister for Public Finance, Planning and Community Wealth and his officials. At that meeting, we explored the need for the engagement with the UK Government in pursuing changes to the Electricity Act, which might enable decisions on onshore wind farm developments to be taken at a local authority level. We also heard about efforts to encourage earlier engagement with communities in the planning process, with a greater emphasis on collaboration, and about attempts to shift the dial away from conflict between communities and developers.

Since that meeting, we have received a new submission from the petitioner in which she shares reflections on the evidence that we heard. Therefore, do members have any comments or suggestions in relation to the petition?

David Torrance: I wonder whether the committee could write to the Minister for Public Finance, Planning and Community Wealth to follow up on the outstanding issues from the evidence session on 15 June 2022—that includes any recent discussions that the Scottish Government might have held with the UK Government regarding the issues raised in the petition—and to write to the planning advisory service regarding the training that it provides to staff and volunteers supporting communities engaging in the planning process. I would also like us to write to the Scottish Government’s planning and environmental appeals division to ask what training and guidance is provided to reporters specifically in relation to how witnesses are treated during public inquiries.

Paul Sweeney: It is interesting that there was an idea that issues in the petition have been conflated and that some issues were mixed up around devolved and reserved competences. I thought that it would be worth while trying to unpack that a bit.

Certainly, I raised some questions around the interaction between Scottish ministers and UK Government ministers, particularly Alister Jack and Greg Hands. Is it worth inviting those ministers to offer a view regarding the Electricity Act 1989 and the provisions therein? I often think that, when we actually test some of these technical matters, they are often just devolved because people say, "That is probably better over there."

The Convener: I am quite happy that we do that, because I agree with what you say about the issues that were raised; you are quite correct. We will incorporate that as well.

Are we content with those suggestions?

Members indicated agreement.

Annexe C

Planning and Environmental Appeals Division (DPEA) submission of 4 August 2022

PE1864/KKKKK: Increase the ability of communities to influence planning decisions for onshore windfarms

Newly appointed Reporters are provided with in-person training on legislative and procedural aspects of holding hearings and inquiries. As they broaden their experience and progress to take on casework that is likely to require a hearing or inquiry, further in-depth training is provided. They are also at that time encouraged to attend in-person hearings and inquiries to view more experienced reporters at work, and to view webcasts of previous hearings and inquiries.

In recent years it has also become common to co-appoint less experienced reporters jointly with more senior colleagues, in order to facilitate 'learning on the job' in conducting more complex inquiries, such as those relating to onshore wind. In addition, regular Reporter Training Seminars often touch on the conduct of hearings and inquiries. In this regard a recent seminar, conducted over two sessions, looked in detail at organising and chairing hearings and inquiries.

Reporters are advised to take particular care in ensuring that non-legally represented witnesses are able to participate fully in the hearing or inquiry. This includes providing additional guidance and support to the witness where that is needed.

To more fully address the point being made in the petition in regard to perceived bullying and intimidation of witnesses, our experience is that advocates by and large take care to treat non-legally represented witnesses with respect. In very rare cases, depending on the evidence presented by the witness, it may become necessary for the cross-examiner to ask the witness a series of detailed and sometimes searching questions in order to test their evidence. However, Reporters are advised to be alert to any overstepping of the mark and to intervene

if they perceive that cross-examination is becoming overbearing or lacking in politeness and respect.

Reporters are encouraged to view webcasts of their own inquiries to reflect on their performance; webcasts are also used by DPEA management to assess the performance of Reporters.

UK Minister of State for Energy, Clean Growth and Climate Change submission of 5 August 2022

PE1864/LLLLL: Increase the ability of communities to influence planning decisions for onshore windfarms

Thank you for your letter of 7th July, about a petition from ‘Scotland against Spin’ asking the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore windfarms. As you will appreciate, given that the petition was directed to the Scottish Parliament, it would not be appropriate for me to comment on the specifics of this request.

Onshore wind is a mature, efficient and low-cost technology and forms an important part of the UK energy mix. As set out in the Energy White Paper and Net Zero Strategy, a low-cost net zero system of the future will be predominantly comprised of wind and solar. To achieve this, we will require a sustained increase in locally supported onshore wind to 2030 and beyond, alongside other renewables such as solar and offshore wind.

It is important that onshore wind and other renewable developers continue to engage with local communities as we increase renewable deployment to meet net zero. As set out in the recent British Energy Security Strategy, the government will consult this year on developing local partnerships for a limited number of supportive communities who wish to host new onshore wind infrastructure in England. This will include consideration for how we can maximise the benefits for host communities, including for example lower energy bills.

The UK Government is always willing to engage and hold constructive conversations with the Scottish Government on planning matters.

THE RT HON GREG HANDS MP

Minister of State for Energy, Clean Growth and Climate Change

Secretary of State for Scotland submission of 8 August 2022

PE1864/MMMMM: Increase the ability of communities to influence planning decisions for onshore windfarms

Thank you for your letter of 7 July regarding the petition that calls for an increase in the ability of local communities to influence planning decisions for onshore windfarms. I understand that the petition was directed to the Scottish Parliament and, therefore, it would not be appropriate for me to comment on the specifics of this request.

Onshore wind is a mature, efficient and low-cost technology and forms an important part of the UK energy mix. A low-cost net zero system of the future will be predominantly comprised of wind and solar. To achieve this, we will require a sustained increase in locally supported onshore wind to 2030 and beyond, alongside other renewables such as solar and offshore wind.

It is important that onshore wind and other renewable developers continue to engage with local communities as we increase renewable deployment to meet net zero. As set out in the recent British Energy Security Strategy, the Government will consult this year on developing local partnerships for a limited number of supportive communities who wish to host new onshore wind infrastructure in England. This will include consideration for how we can maximise the benefits for host communities, including for example lower energy bills.

The UK Government is always willing to engage and hold constructive conversations with the Scottish Government on planning matters.

THE RT HON. ALISTER JACK MP

SECRETARY OF STATE FOR SCOTLAND

Planning Aid Scotland (PAS) submission of 9 August 2022

PE1864/NNNNN: Increase the ability of communities to influence planning decisions for onshore windfarms

PAS (www.pas.org.uk) is a charity and social enterprise that helps people in Scotland to engage with the planning system and their places. Community engagement is a key aspect of enhancing local democracy and empowering communities to ensure that Scotland is a fairer and more equal place. PAS provides – amongst other services – an advice service, training, youth engagement, and facilitation of community-led plans.

Thank you for the invitation to provide further information to the Committee.

Response to Request 1: Provide Information about the training provided by PAS to staff and volunteers involved in supporting communities engaging in the planning process

- All our staff and volunteers involved in providing planning advice to members of the public are required to be chartered planners. We take this and the associated Royal Town Planning Institute Code of Professional Conduct as assurance that all advice provided is competent and professional.
- We offer a range of training and support events for staff and volunteers. These cover planning topics and also other skills development aimed at achieving effective delivery of the range of PAS services.
- We also offer training events in response to frequent enquiry themes to our Advice Service, and also on planning topics relevant to our ethos and remit eg, short-term lets, alterations to domestic properties, and mediation in planning.

- We offer several strands of volunteering opportunities, one of which is volunteering on our Advice Service. Other volunteers offer their time and skills to activities such as training events or community engagement-based projects.

With regard to point 2: The Committee would be particularly interested in any training staff and volunteers receive when assisting communities in presenting their views to public inquiries

- We receive a number of enquires relating to planning appeals generally, and occasionally these may relate to public inquiries on windfarms or other planning topics.
- On this basis, we have not recently provided training relating to public inquiries.
- We monitor the type of advice requests we receive and this informs the training that we provide to our staff and volunteers.

We would also like to make the following points with reference to the progression of this Petition:

- We reiterate that we would welcome Scottish Government undertaking research into how support could be provided for communities participating in public inquiries (on windfarms and any other topic).
- We note that no response has been received to the Committee's request to the Local Government Association for evidence on the legislation and procedures relating to the determination windfarm applications in England. We believe it is important that the Committee has access to this perspective before the petition proceeds. Alternative sources of this information may be the Royal Town Planning Institute or a specific local authority.

**Minister for Public Finance, Planning and
Community Wealth submission of 18 August
2022**

PE1864/OOOOO: Increase the ability of communities to influence planning decisions for onshore windfarms

Thank you for your letter of 7 July, following up on my attendance at the Citizen Participation and Public Petitions Committee on 15 June 2022 to discuss these two petitions.

Correction

Following discussions with officials, I would take this opportunity to apologise and address some incorrect technical information that I, and officials that were present, inadvertently provided on the 15th June 2022 on the matter of Electricity Act thresholds.

The Committee asked whether the Scottish Government has competence to increase or abolish the 50MW threshold for renewable energy developments that can be considered by planning authorities. The Committee were informed that the Scottish Government does not have any competence to do anything with the provisions of the Electricity Act 1989, which is a reserved piece of legislation, that there is a general reservation of energy in the Scotland Act 1998, and that the processes that pertain to Electricity Act consenting are, in line with that, also reserved.

Matters pertaining to generation, transmission, distribution and supply of electricity are reserved in the Scotland Act 1998, and therefore it is not within the powers of the Scottish Parliament to introduce primary legislation in relation to these matters. It is not within the power of Scottish Ministers to alter the Electricity Act 1989 itself. Certain executive functions in the Electricity Act 1989, as far as these may be exercised in Scotland, are however exercisable by Scottish Ministers. These include functions under section 36 of the Electricity Act 1989 – ‘consent required for the construction etc. of generating stations.’

Section 36 (1) provides that a generating station shall not be constructed, extended or operated except in accordance with a consent granted by “the appropriate authority”. The “appropriate authority” in relation to a generating station in or to be constructed in Scotland is the

Scottish Ministers. This provision is subject to subsection (2) which states that subsection (1) does not apply to a generating station whose capacity does not exceed the ‘permitted capacity’ which is 50 megawatts; and, in the case of a generating station which is to be constructed or extended, will not exceed the permitted capacity when it is constructed or extended.

Powers are available to the Scottish Ministers under section 36 to make subordinate legislation to alter the “permitted capacity” threshold in section 36(2).

Section 36(2) and (3) enables the Scottish Ministers by order to ‘provide that subsection (2) shall have effect as if for the permitted capacity... there were substituted such other capacity as may be specified in the order’. Section 36(4) enables the Scottish Ministers by order to direct that section 36(1) shall not apply to generating stations of a particular class or description, either generally or for such purposes as may be specified in the order.

The summary of the above is that by order, Scottish Ministers are in a position to make different provision in terms of the generating capacity of all, or of certain specific types, of generating station which would not require consent under section 36(1).

I hope this is helpful to the Committee as to the correct position on the matter of thresholds and what powers Scottish Ministers have available to them.

Requests for Clarification

You sought clarification on a number of specific matters and I have set out the Scottish Government’s response on those points below.

The Scottish Government’s current position regarding the benefits/disadvantages of altering the 50MW threshold for determining applications for renewable energy developments

The Scottish Government has not explored the benefits or disadvantages of altering the 50MW threshold for renewable energy developments.

Which discussions, if any, have taken place between the Scottish Government and UK Government regarding:

- **The 50MW threshold**
- **Possible amendments to the Electricity Act 1989, which would enable the devolution of the consent process to local planning authorities for developments over 50MW**

No discussions have taken place between the Scottish and UK Governments regarding the 50MW threshold.

The Cabinet Secretary for Net Zero, Energy and Transport wrote to the Secretary of State for Business, Energy and Industrial Strategy at the UK Government on 23 May 2022, requesting devolved powers for energy consenting. In response, the Secretary of State advised that he would be content for matters to be discussed between officials. Mr Matheson subsequently, on 28 June, wrote to request a Ministerial meeting regarding both Electricity Act devolution and Habitats Regulations devolution, relating to onshore and offshore wind matters.

As set out above, devolution of legislative competence is not required to set thresholds differently and it is possible to provide that more planning proposals for renewable energy developments are dealt with at a local authority level. The request for legislative devolution in this area seeks to address other matters within the Electricity Act process, which are not within the power of the Scottish Parliament to change, and where there is currently no scope for modernisation or alignment with wider Scottish planning processes.

The role Local Place Plans and early community engagement in the planning process can play in encouraging Community Shared Ownership

The new right for communities to produce local place plans enables and encourages them to set out their aspirations for the future development of their places. When they do so, there is a requirement on planning authorities to take local place plans into account when preparing their local development plans. While it is for community bodies to produce the content of their local place plans, there is not a direct role for those plans in encouraging community shared ownership schemes to be delivered through the planning system, given the restrictions on requiring such

schemes within the terms of a planning permission. However, at the pre-application stage, planning authorities may be able to direct a renewable energy business towards sources of information about known community aspirations.

Your views on the petitioner's suggestion, in relation to PE1885, that 'developers must offer and secure 15% Community Shared Ownership investment'

Shared Ownership can generate lasting social and economic benefit for local communities across Scotland, as well as support the Scottish Government to realise its 2GW by 2030 community and locally owned energy target.

The Scottish Government has no powers to mandate shared ownership. However, we do have longstanding Good Practice Principles (GPPs) for Shared Ownership of Onshore Renewable Energy Developments (revised 2019). The GPPs set national standards, which we encourage renewable energy businesses and communities alike to adopt and observe, and include guidance for all parties about how to discuss and develop potential shared ownership opportunities.

Taking a stake in a commercial renewable development represents a significant long term investment for local communities. It can carry a number of risks which might result in losses or lower than expected profits. It is therefore essential that communities take their own independent advice, including independent financial advice, so that they can make an informed decision on whether the shared ownership opportunity is right for them. Support is available through the Scottish Government's Community and Renewable Energy Scheme (CARES) for communities considering shared ownership offers and opportunities.

I hope the Committee finds this response helpful.

Petitioner submission of 22 August 2022

PE1864/PPPPP: Increase the ability of communities to influence planning decisions for onshore windfarms

Legislative competence

Scotland Against Spin (SAS) is grateful to the Minister for Public Finance, Planning and Community Wealth for his apology and correction of the information that he and other officials presented to the Committee on 15 June 2022 on the matter of setting Electricity Act thresholds for determination of planning applications by Scottish Ministers.

The Minister has confirmed that devolution of legislative competence is not required to set different thresholds and it would therefore be possible to allow wind energy schemes, irrespective of size, to be dealt with at a local authority level. This now opens the way for the Scottish Government to bring planning legislation for the determination of wind farm developments in line with that in England (as requested in our petition) where there is strict adherence to local development plans which have previously been the subject of public consultation AND where any planning impact identified by the local community must have been satisfactorily addressed before planning permission is granted. This system offers protection for both host communities and the environment.

We look forward to the Scottish Government acknowledging the benefits of altering the 50MW threshold for wind energy developments and prompt action being taken to realise these benefits.

Support

Professional support for communities taking part in inquiries is crucial and we are grateful to Planning Aid Scotland for reiterating, in their [submission of 9 August](#), that they would welcome the Scottish Government *undertaking research into how support could be provided for communities participating in public inquiries (on windfarms and any other topic)*.

We also welcome the submission from RTPi of [6 October 2021](#) which states that *RTPi would welcome the exploration of opportunities and challenges of allowing Planning Authorities to determine more applications for onshore wind which has the potential to result in greater involvement of communities throughout the consenting process*.

We refer the Committee to Petitioner [submission of 11 June 2021](#) where we have outlined four measures which would offset additional costs of these proposals through an increase in planning application fees. Planning fees are currently still considerably cheaper in Scotland than in England, favouring commercial prospectors, but not local ratepayers.

As a member of the DPEA Stakeholders' Forum, SAS has also recently raised the subject of the problems faced by members of the public with hidden disabilities, such as autism and dyslexia, when making representations to applications and taking part in public inquiries. Their difficulties need to be understood and not overtly exploited by lawyers acting for their clients. This unacceptable behaviour was witnessed at a recent inquiry. DPEA has thanked SAS for raising this matter and assured us that steps will be taken to address this issue.

The Scottish Government is committed to equality in all areas; their vision being *that individuals are respected, accepted and valued by their communities and have confidence in services to treat them fairly*. Planning representation and public inquiries should not be exempt.

This further supports our Petition and, in our view, emphasises the need for an independent advocate to be appointed to protect and guide any member of the public who wants to give evidence at inquiries. It would generate greater participation in the planning process, which is what the Government is seeking to achieve.

Petitioner submission of 3 January 2023

PE1864/QQQQQ: Increase the ability of communities to influence planning decisions for onshore windfarms

On the 6 December 2022, the [UK Government announced](#) that it would consult on proposed changes to national planning policy on onshore wind farm development in England.

It was confirmed that:

- Decisions on onshore wind sites will continue to be made at a local level as these are better to be made by local representatives who

know their areas best and are democratically accountable to the local community.

- Under the proposals, planning permission would be dependent on a project being able to demonstrate local support and satisfactorily address any impacts identified by the local community. Local authorities would also have to demonstrate their support for certain areas as being suitable for onshore wind, moving away from rigid requirements for sites to be designated in local plans.
- Previous Government action would be enhanced to make sure local communities are at the heart of decisions on onshore wind. Changes introduced in 2016 that made local councils responsible for onshore wind applications, instead of the Nationally Significant Infrastructure Project regime, will remain in place.
- The Government will make sure strong environmental protections first brought in by the Government in 2015 remain, so that valued landscapes such as National Parks, Areas of Outstanding Natural Beauty and the Green Belt are protected.
- The Government will seek views on developing local partnerships for supportive communities, so that those who wish to host new onshore wind infrastructure can benefit from doing so.

It appears the changes in policy towards Onshore Wind Farms in England are quite modest. Essentially this is the same position which was issued in the 2015/16 policy change, when it changed from national to local decision making.

It will be interesting to hear exactly how the “demonstration of local support” is achieved as this was an issue raised previously by this Committee. It is also interesting to note that “satisfactorily addressing the project's planning impacts as identified by local communities” goes beyond the usual “material planning considerations” awarded consideration in Scotland. This would indicate greater protection and influence for communities which is what this Petition seeks to achieve.

The Scottish Government aspires to give local communities a greater say in the planning process and a greater influence on the future of development in their local area. This can be achieved by supporting our Petition and granting Scottish Communities the same ability to influence planning decisions as our neighbours in England.

Finally, we would refer you to the support this Petition has received from Planning Aid Scotland and RTPI. This is summarised in [Petitioner's submission dated 22nd August](#).